

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
S/S of Oak Hill Rd., 230 ft. E	* ZONING COMMISSIONER
of c/l of Hilton Avenue	
601 Oak Hill Road	* OF BALTIMORE COUNTY
1st Election District	
1st Councilmanic District	* Case No. 95-158-A
Walter Galka, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Walter Galka and Barbara E. Galka, his wife, for that property known as 601 Oak Hill Road in the Oak Ridge subdivision of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 25 ft., in lieu of the required 30 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

11/23/94
M. Gault

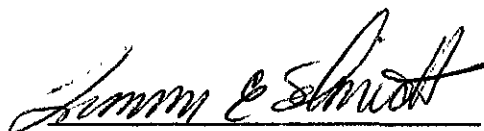
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of November, 1994 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 25 ft., in lieu of the required 30 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
DATE 11/23/94
BY M. Gorch

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 22, 1994

Mr. and Mrs. Walter Galka
601 Oak Hill Road
Catonsville, Maryland 21228

RE: Petition for Administrative Variance
Case No. 95-158-A
Property: 601 Oak Hill Rd.

Dear Mr. and Mrs. Galka:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

400-887-4386





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 601 Oak Hill Road

which is presently zoned D.R.-35

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1; BCZR TO
PERMIT A FRONT YARD SETBACK OF 25' IN LIEU OF THE
REQUIRED 30',

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Reasons for Practical Difficulty:

1. House needs to be modified to add a third bedroom on the same floor as the other bedrooms, for a second adopted infant.
2. Shape of the lot, and the shape, layout, and architecture of the house makes expanding in any other direction impractical.
3. Alternative (moving or adding a second floor) would be more costly than the proposed addition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JLM

DATE: 10-26-94

Printed with Soybean Ink
on Recycled Paper

MICROFILMED # 156

ESTIMATED POSTING DATE: _____

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 601 Oak Hill Road
address
Catonsville MD 21228
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Practical Difficulty because:
1) House needs to be modified to add a 3rd bedroom, on the same floor as other bedrooms, for a second adopted infant.
2) The shape of the lot, and shape, layout, and architecture of the house, makes expanding in any other direction impractical.
3) Alternatives, (moving or adding a second floor) would be more costly than the proposed addition.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Walter Galt
(signature)
Walter Galt
(type or print name)



Barbara Ellen Fayak - Galt
(signature)
Barbara Ellen Fayak - Galt
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18 day of October, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

WALTER GALT - BARBARA ELLEN FAYAK - GALT

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

October 18, 1994
date

James R. Scott
NOTARY PUBLIC

My Commission Expires

October 1, 1998
JAMES R. SCOTT
NOTARY PUBLIC
STATE OF MARYLAND
MY COMMISSION EXPIRES OCTOBER 1, 1998

Zoning Description

ZONING DESCRIPTION FOR 601 OAK HILL ROAD

Election District: 01

Councilmanic District: 1

Beginning as a point on the south side of
(north, south, east or west)

 Oak Hill Road which is 40 feet
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 230 feet east of the
number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Hilton Avenue
(name of street)

which is 50 feet wide. Being Lot # 58 ,
(number of feet of right-of-way width)

Block NA , Section # NA in the subdivision of

 Oak Ridge as recorded in Baltimore County Plat
(name of subdivision)

Book # 5 , Folio # 114 , containing

 approximately 12,500 feet or 0.29 acres.
(square feet and acres)

156

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-158-A

District 1st Date of Posting 11/4/94

Posted for: Variance

Petitioner: Walter & Barbara Galka

Location of property: 601 Oak Hill Rd, S/S

Location of Signs: Facing roadway, on property being zoned

Remarks: No Poles used

Posted by M. Healy Date of return: 11/10/94
Signature

Number of Signs: 1



RECEIVED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

156
receipt

Date

10-26-94

Account: R-001-6150

Number

164

WALTER GALKA

601 OAKHILL RD.

Admin

VAC

POSTING

50.00

35.00

65.00

RECEIVED

01A01#D270MICR0

\$85.00

BA 0002:24PM10-26-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 156

Petitioner: WALTER GALKA

Location: 601 DAKHILL RD. CATONSVILLE MD. 21228

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: _____

PHONE NUMBER: 747-5427

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Mr. & Mrs. Walter Galka
601 Oak Hill Road
Catonsville, Maryland 21228

NOV. 1 8 1994

RE: Case No. 95-158A, Item No. 156
Petitioner: Barbara Fayak-Galka & Walter Galka

Dear Mr. and Mrs. Galka:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 26, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

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BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 14, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for November 14, 1994
Items 153, 2, 155, 156, 157, 158, 159,
160, 161, 162 and 163

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE:

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 153, 154, 155, 156, 157, 160, 162, 163, 164, 165, 168, and 171

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

11-7-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *156 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 11/08/94

Arnold Jriblon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owners:

LOCATION: DISTRIBUTION MEETING OF NOV. 7, 1994

Item No.: Zoning Agenda:

Comments:

Pursuant to your request, the referenced property, has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 153, 154, 155, 156, 157, 158, 159, 160, 161, 162 AND 163

RECEIVED

NOV 10 1994

ZADM

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS 1101F

cc: File



Printed with Soybean Ink
on Recycled Paper

NOV 10 1994

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 4, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Walter and Barbara Galka
601 Oak Hill Road
Catonsville, Maryland 21228

Re: CASE NUMBER: 95-158-A (Item 156)
601 Oak Hill Road
S/S of Oak Hill Road, 230' E of c/l Hilton Avenue
1st Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before November 6, 1994. The closing date (November 21, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

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Plat to accompany Petition for Zoning

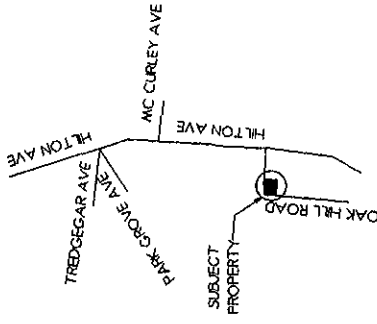
☒ Variance ☐ Special Hearing

Property Address: 601 Oak Hill Road

Subdivision name: OAK RIDGE

plat book# 5, folio 114, lot 58, saving and excepting the rear 34' of said lot 58

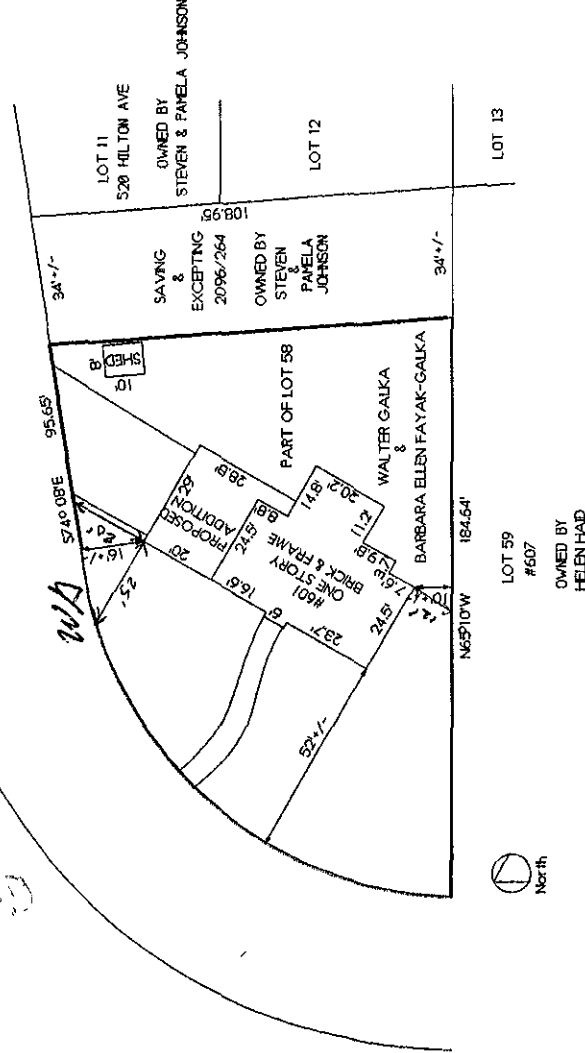
OWNERS: WALTER GALKA & BARBARA E. FAYAK-GALKA



Vicinity Map
scale: 1"=1000'



OAK HILL ROAD
(50' R/W, 40' PAVING)



date: October 17, 1994
prepared by: Walter Galka

Scale of Drawing 1"=50'

LOCATION INFORMATION

Councilmanic District: 1

Election District: 01

1"=200' scale map#: **SW 4-G**

Zoning: D.R.-3.5

Lot size: .29 acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area:

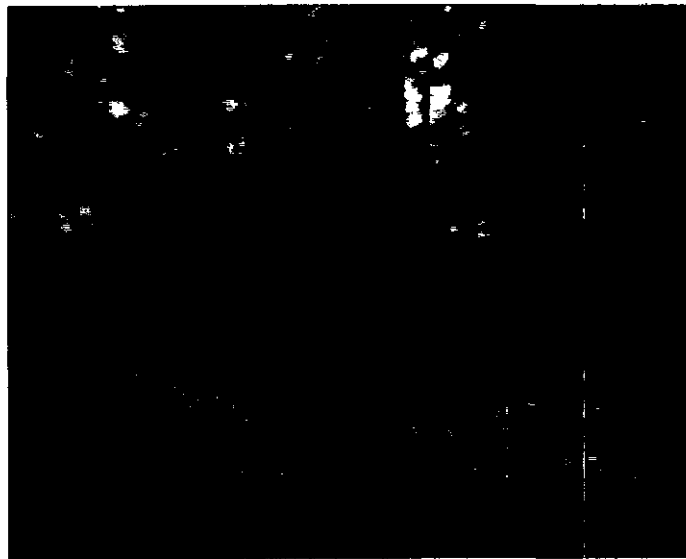
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: *qhw* ITEM #: *156* CASE #:



607 Oak Hill Road
House adjacent to (right side) 601 Oak Hill Road



Lot adjacent to (left side) 601 Oak Hill Road

156



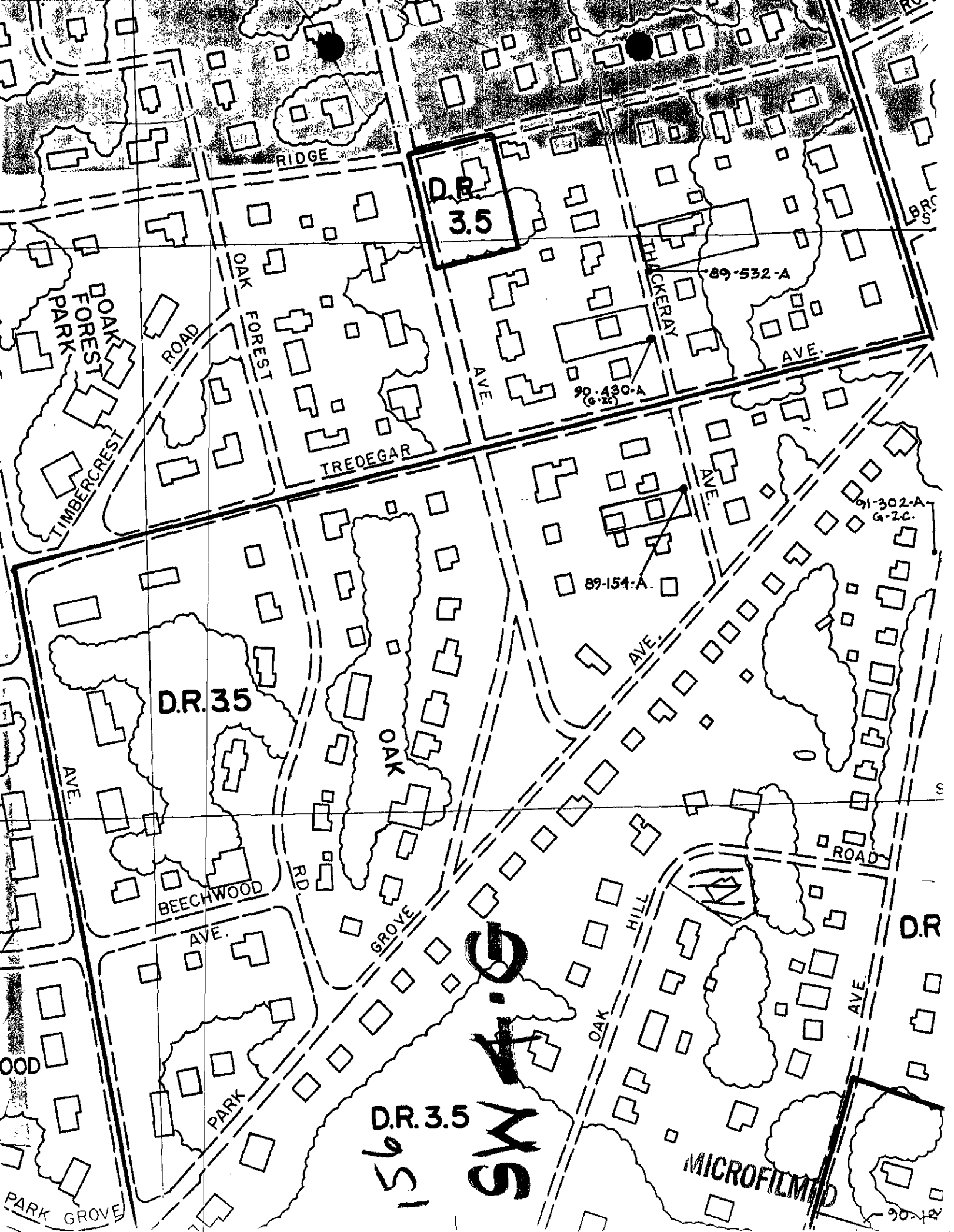
Area of 601 Oak Hill Road of Proposed Addition (Front View)



Area of 601 Oak Hill Road of Proposed Addition (Back View)

156

WILSON & WILSON



RIDGE

D.R.
3.5

OAK
FOREST
PARK

ROAD

OAK
FOREST

TREDEGAR

AVE.

THACKERAY

89-532-A

AVE.

90-430-A
(G-25)

89-154-A

91-302-A
G-2C

D.R. 35

OAK

AVE.

BEECHWOOD

AVE.

GROVE

SW 4-5 MS

HILL

OAK

D.R.

ROAD

AVE.

MICROFILMED

OOD

PARK

PARK GROVE

D.R. 3.5

90-12



601 Oak Hill Road

156

MICROFILMED



SCALE	LOCATION	SHEET
1" = 200' ±	CATON SVILLE	S.W. 4-G
DATE OF PHOTOGRAPHY	MICROFILMED	
JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP